

**TRANSMITTAL
FORM**

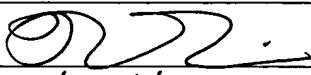
(to be used for all correspondence after initial filing)

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/887,997 | |
| | Filing Date | June 22, 2001 | |
| | First Named Inventor | Quake, Stephen R. | |
| | Art Unit | 1765 | |
| | Examiner Name | Robert M. Kunemund | |
| Total Number of Pages in This Submission | 6 | Attorney Docket Number | 20174C-004900US |

ENCLOSURES (Check all that apply)


| | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (2 pgs) w/attached PTO/SB/08A (1 pg) and PTO/SB/08B (1 pg) citing references 1-5. <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Return Postcard; and 2. A copy of each of 5 cited references. |
| Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. * Note: Reference not included in the total number of pages above. | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------------|---|-----------------|
| Firm or Individual | Townsend and Townsend and Crew LLP Kent J. Tobin | Reg. No. 39,496 |
| Signature |  | |
| Date | 8/24/04 | |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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| Typed or printed name | TIFFANY WU | | |
| Signature |  | Date | 8/24/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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PATENT
Attorney Docket No.: 20174C-004900US
Client Reference No.: CIT No.: 3484

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On

8/24/04

TOWNSEND and TOWNSEND and CREW LLP




Tiffany Wu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Quake et al.

Application No.: 09/887,997

Filed: June 22, 2001

For: HIGH THROUGHPUT
SCREENING OF CRYSTALLIZATION
OF MATERIALS

Examiner: Robert M. Kunemund

Art Unit: 1765

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached forms PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

08/30/2004 ZJUWAR1 00000022 201430 09267997

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As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Kent J. Tobin
Reg. No. 39,496

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KJT:rms
60288506 v1

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

| | |
|------------------------|--------------------|
| Application Number | 09/887,997 |
| Filing Date | June 22, 2001 |
| First Named Inventor | Quake, Stephen R. |
| Art Unit | 1725 |
| Examiner Name | Robert M. Kunemund |
| Attorney Docket Number | 20174C-004900US |

U.S. PATENT DOCUMENTS+

| Examiner Initials* | Cite No. ¹ | Document Number Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|----------------|
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | 1 | WO | 99/04361 | A1 | 01-28-1999 | Gester et al. | | |
| | 2 | WO | 00/00678 | A1 | 01-06-2000 | Hol et al. | | |
| | 3 | WO | 01/09595 | A2 | 02-08-2001 | Stewart et al. | | |
| | 4 | WO | 01/09595 | A3 | 02-08-2001 | Stewart et al. | | |
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Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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|---|---|--------------------------|--------------------|------------------------|-----------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | Complete if Known | | | |
| | | Application Number | 09/887,997 | | |
| | | Filing Date | June 22, 2001 | | |
| | | First Named Inventor | Quake, Stephen R. | | |
| | | Art Unit | 1725 | | |
| | | Examiner Name | Robert M. Kunemund | | |
| Sheet | 2 | of | 2 | Attorney Docket Number | 20174C-004900US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 5 | Ward et al., Automatic Preparation of Protein Crystals Using Laboratory Robotics and Automated Visual Inspection, Journal of Crystal Growth 90 (1988), pp. 325-339. | |
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| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.